

FRANCE 2022 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

France is a multiparty constitutional democracy. Voters directly elect the president of the republic to a five-year term. President Emmanuel Macron was re-elected on April 24. An electoral college elects members of the bicameral parliament's upper house (Senate), and voters directly elect members of the lower house (National Assembly). Observers considered the presidential election on April 10 and 24 and separate National Assembly elections on June 12 and 19 to have been free and fair.

Under the direction of the Ministry of the Interior, a civilian national police force and gendarmerie units maintain internal security. Civilian authorities maintained effective control over the security forces. There were reports members of the security forces committed some abuses.

Significant human rights issues included credible reports of: crimes involving violence or threats of violence against Muslims; crimes, violence, or threats of violence motivated by antisemitism; and crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, and intersex persons.

The government took steps to investigate, prosecute, and punish officials who committed human rights abuses or engaged in corruption. Impunity was not widespread.

Note: The country includes 11 overseas administrative divisions covered in this report. Five overseas territories, French Guiana, Guadeloupe, Martinique, Mayotte, and La Reunion, have the same political status as the 13 regions and 96 departments on the mainland. Five divisions are overseas "collectivities": French Polynesia, Saint-Barthelemy, Saint-Martin, Saint-Pierre and Miquelon, and Wallis and Futuna. New Caledonia is a special overseas collectivity with a semiautonomous status between that of an independent country and an overseas department. Citizens of these territories periodically elect deputies and senators to represent them in parliament, like the mainland regions and departments.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports that the government or its agents committed arbitrary or unlawful killings. Mechanisms to investigate security force killings and pursue prosecutions include the police disciplinary body, the Inspector General of the National Police (IGPN); the gendarmerie police disciplinary body, the Inspector General of the National Gendarmerie, and a separate and independent magistrate that can investigate police abuses.

In a January 8 report, medical experts appointed by the judges in charge of the investigation confirmed the responsibility of three police officers in the 2020 death of a Paris delivery driver from asphyxia during his arrest. According to the report, “several factors” resulting from the officers’ physical actions during the arrest “resulted in a very rapid deprivation of oxygen to the brain.” Police stopped the victim, Cedric Chouviat, close to the Eiffel Tower in 2020 in a routine traffic stop. The three officers were subsequently charged with manslaughter. The investigation was ongoing at year’s end.

On September 20, a court found three police officers guilty of manslaughter over the death of a Black man in Paris in 2015 and sentenced each to a 15-month suspended jail term. The victim, Amadou Koume, died after being pinned to the ground by officers in a bar, put in a chokehold, and left face down. Reports stated that his hands were cuffed behind his back for more than six minutes. He died as the result of a slow “mechanical asphyxia,” according to a medical expert.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

While the constitution and law prohibit such practices, there were several

accusations that security and military personnel committed abuses.

During the year there were reports that police used excessive force during routine traffic violations. The national prosecutor's office investigated most of these cases and suspended officers from their duties during investigation proceedings. As of September 9, nine individuals were killed since the beginning of the year after they failed to obey an order to stop, compared to two in 2021. The annual report of the inspector general of the IGPN, published on July 22, found that the number of investigations carried out by the inspectorate remained stable, compared with the same period in 2021. Fewer than one-half of the 1,093 investigations pertained to "willful violence" by officers, a stable number from 2020. The report noted that the complaints related to racism and discrimination increased with 51 complaints registered in 2021 compared with 38 in 2020.

In June 2021, the Council of Europe's Committee for the Prevention of Torture (CPT) released the report on its 2019 visit to the country. The report noted that, while most persons interviewed did not report physical mistreatment by police, several persons indicated to the CPT they had been deliberately beaten by police officers at the time of their arrest or on police premises. The CPT also received allegations of insults, including of a racist or homophobic nature, as well as threats with a weapon.

In a report released in September 2021, Amnesty International stated that police were responsible for abusive and illegal use of force during the "Teknival" dance party in Redon, Brittany, in June 2021. Dozens were injured in the crackdown on the partygoers and organizers, with one participant losing his hand as police used teargas and explosive grenades to break up the event. Based on interviews with multiple witnesses, including journalists, participants, and organization heads as well as videos and other published documents, Amnesty reported it found evidence from the Redon policing operation indicating that the use of force was neither necessary nor proportionate, as is required by both the law and UN basic principles on the use of force. On March 12, the Rennes Prosecutor announced the two investigations opened in this case had been closed without further action.

On June 22, a Paris court sentenced two police officers, one receiving a three-month suspended prison sentence and the other a €9,000 (\$9,630) fine over a racial

hate charge for publishing racist messages on Facebook in 2020. One of the suspects was asked to pay €1 (\$1.07) in damages to three antiracist associations that served as plaintiffs.

Prison and Detention Center Conditions

While prisons and detention centers generally met international standards, nongovernmental organizations (NGOs) and government officials reported overcrowding and unhygienic conditions in prisons.

Abusive Physical Conditions: As of August 1, the overall occupancy rate in the country's prisons stood at 118.3 percent (71,819 prisoners for 60,719 spaces), with the rate at some facilities reaching 150 percent and at one facility 233.3 percent. NGOs agreed that detention conditions for women were often better than for men because overcrowding was less common. In its June 2021 report, the latest report available, the CPT noted that, at the time of its visit in 2019, occupancy rates exceeded 200 percent in some establishments. The CPT noted it received a small number of allegations of intentional violence by staff against prisoners as well as a larger number of allegations of excessive use of force. The CPT also noted that interprisoner violence was a significant problem at some establishments (Bordeaux-Gradignon, Lille-Sequedin, and Maubeuge). In the women's wards at Bordeaux-Gradignon and Lille-Sequedin prisons, women prisoners were offered fewer activities and work than men in the same establishments. Movements and procedures at the prisons were reportedly designed for men.

Overcrowding in prisons located in overseas territories tracked the national trends. The Ministry of Justice reported in August that the occupancy rate for all prisons in overseas territories was 120.4 percent and reached 180.5 percent at the Majicavo prison.

Administration: Authorities generally conducted investigations of credible allegations of mistreatment.

On March 16, a magistrate of Creteil court formally charged a prison officer for failure to assist a person in danger following the death by suicide of a woman inmate after she had received a series of disciplinary sanctions. The investigation was ongoing at year's end.

Independent Monitoring: The government permitted prison visits by independent human rights observers, both local and foreign. The Controller-General for Places of Deprivation of Liberty, an independent administrative authority, can visit all manner of places of deprivation of liberty: psychiatric hospitals, police custody facilities, juvenile detention centers, immigration removal centers, and prisons. These visits are the subject of reports that describe the living conditions of individuals there.

In addition to periodic visits by the CPT, the UN Committee against Torture regularly examined prisons. In its June 2021 report, the CPT expressed serious concern regarding material conditions of detention in police establishments, prison overcrowding, the conditions in which detained persons were transferred to and treated in hospital, and the lack of psychiatric places for persons in care without consent.

In a report released July 6, the International Prison Observatory criticized access to health care in the country's 187 prisons. It noted the worsening of disease due to lack of treatment and the development of addictions, such as to painkillers, due to lack of care. The report also urged that caregivers be better informed about medical privacy, which is "too often flouted," the report noted.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government generally observed these requirements, but lengthy pretrial detention remained a problem.

Arrest Procedures and Treatment of Detainees

The law requires police to obtain warrants based on sufficient evidence prior to detaining suspects, but police may immediately arrest suspects caught committing an illegal act. While in police custody, a person has the right to know the legal basis and expected duration of the detention, to remain silent, to have representation by counsel, to inform someone such as a family member or friend, and to be examined by a medical professional. Defense lawyers have the right to ask questions throughout an interrogation. Authorities generally respected these

rights.

The law allows authorities to detain a person up to 24 hours if police have a plausible reason to suspect such person is committing or has committed a crime. A district prosecutor has the authority to extend a detention by 24 hours. A special judge, however, has the authority to extend detention by 24-hour periods up to six days in complex cases, such as those involving drug trafficking, organized crime, and acts of terrorism. A system of bail exists, and authorities made use of it.

Detainees generally have access to a lawyer, and the government provides legal counsel to indigent detainees. The law also requires medical examiners to respect and maintain professional confidentiality. The law forbids complete strip searches except in cases where authorities suspect the accused of hiding dangerous items or drugs.

Pretrial Detention: Long delays in bringing cases to trial and lengthy pretrial detention were problems. Pretrial detention did not frequently equal or exceed the maximum penalty for the alleged crime. Although standard practice allowed pretrial detention only in cases involving possible sentences of more than three years in prison, some suspects spent many years in detention before trial. As of August, pretrial detainees made up 26 percent of the prison population.

According to official statistics published in September, 140 referrals were filed before the Paris court of appeals in 2021 to seek compensation for abusive pretrial detention. For the same year, the court awarded a total of €2.4 million (\$2.6 million) compensation.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary. The government generally respected judicial independence and impartiality, although delays in bringing cases to trial were a problem.

Trial Procedures

The constitution and law provide for the right to a fair trial, and an independent judiciary generally enforced this right. The usual length of time between charging

and trial was approximately three years. Except for those involving minors, trials were public.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

There is an independent and impartial judiciary in civil matters and access to a court to submit lawsuits seeking damages for, or cessation of, human rights violations. Individuals may file complaints with the European Court of Human Rights for alleged violations of the European Convention on Human Rights by the government once they have exhausted avenues for appeal through the domestic courts.

Property Seizure and Restitution

The country endorsed the Terezin Declaration in 2009 and the Guidelines and Best Practices in 2010. The government has laws and mechanisms in place for property restitution, and NGOs and advocacy groups reported the government made significant progress on resolution of Holocaust-era claims, including for foreign citizens. The country has restitution and reparation measures in place covering all three types of immovable property: private, communal, and heirless.

In 2014 France and the United States signed the bilateral Agreement on Compensation for Certain Victims of Holocaust-Related Deportation from France Who Are Not Covered by French Programs. The agreement provides an exclusive mechanism to compensate persons who survived deportation from France (or their spouse or other designee) but did not benefit from the pension program established by the government for French nationals or from international agreements concluded by the government to address Holocaust deportation claims. Pursuant to the agreement, the government of France transferred \$60 million to the United States, which the United States used to make payments to claimants that it determined to be eligible under the agreement.

France endorsed the 1998 Washington Principles on Nazi-confiscated Art and set

up a commission to address restitution and compensation, primarily providing compensation to individual victims or their heirs. As of December 2021, 169 artworks had been restored to their owners since 1951 out of an estimated 2,200 held by the French state. The country's government launched an official mission in 2019 for the discovery and restitution of Nazi-looted art held in French museums. A dedicated office within the Ministry of Culture, the Mission for Research and Restitution of Stolen Cultural Property, employed a five-person staff and a €200,000 (\$214,000) annual budget to seek out the rightful owners or heirs of artworks, including those in museums and galleries, stolen or sold under duress during the country's occupation. The office coordinated research and investigated claims submitted to the Commission for the Compensation of Victims of Spoliation (CIVS). It also mobilized museum experts, supported university-level research, and aided in the appointment of in-house specialists at art institutions. As of 2019 the Ministry of Culture did not have the final say on restitution; the authority for final decisions on restitution rests with the CIVS, which is under the Office of the Prime Minister. The separation of authority sought to address criticisms that museum officials would be reluctant to hand over valuable artwork. The Ministry of Culture office worked closely with counterparts in Germany, Austria, the Netherlands, and the United Kingdom, in addition to museums and universities. The Ministry of Culture also stated it would take a more active role in the search and restitution of stolen properties.

On February 15, parliament unanimously approved a draft bill to return 15 Nazi-looted artworks to their rightful Jewish heirs, including the painting *Rosebushes under the Trees*, a Gustav Klimt masterpiece that the original owner, Nora Stiasny, an Austrian Jew, was forced to sell at a reduced price after the Nazis annexed Austria in 1938. The government, unaware of the painting's history, purchased it at auction in 1980. The 15 artworks include pieces by Klimt and Marc Chagall, and are currently held at the Louvre, Musee d'Orsay, Pompidou Center, and the Museum of the Château de Compiègne, among other French national collections.

The Department of State's Justice for Uncompensated Survivors Today (JUST) Act report to Congress can be found on the Department's website at <https://www.state.gov/reports/just-act-report-to-congress/>.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home,

or Correspondence

The constitution and law prohibit such actions, and there were no reports of government failure to respect these prohibitions.

The government continued implementing amendments to a 2017 law on Internal Security and Counterterrorism (SILT) that was passed following the 2015 terrorist attacks. To prevent acts of terrorism, SILT permits authorities to restrict and monitor the movement of individuals, conduct administrative searches and seizures, close religious' institutions for disseminating violent extremist ideas, implement enhanced security measures at public events, and expand identity checks near the country's borders. The core provisions of SILT were to expire at the end of 2020 unless renewed by parliament. In December 2020 parliament extended SILT until July 2021.

In a July 2021 decision, the Constitutional Council approved the Counterterrorism and Intelligence bill that parliament adopted declaring many "controversial" provisions constitutional. The bill aimed to make permanent some provisions of the 2017 SILT law that were set to expire in July 2021, including a "judicial measure for the prevention of terrorist recidivism and reintegration" applicable to the perpetrators of terrorist offenses. The council, however, struck down the two-year restriction of freedom of movement for certain convicted prisoners following release from prison, reducing the restriction to one year. According to council officials, the decision intended to reconcile "prevention of breaches of public order" with "the freedom to come and go (and) the right to respect for private and family life."

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution and law provide for freedom of expression, including for members of the press and other media, and the government generally respected these rights. An independent media, an effective judiciary, and a functioning democratic political system combined to promote freedom of expression, including

for members of the media.

Freedom of Expression: While individuals could criticize the government publicly or privately without reprisal, there were some limitations on freedom of speech. Strict antidefamation laws prohibit racially or religiously motivated verbal and physical abuse. Written or oral speech that incites racial or ethnic hatred and denies the Holocaust or crimes against humanity is illegal. Authorities may deport a noncitizen for publicly using “hate speech” or speech constituting a threat of terrorism.

In an August 30 ruling, the Council of State – the highest court for administrative issues – validated the expulsion to Morocco of a French-born Moroccan-national imam, Hassan Iquioussen. The decision overturned a previous ruling by a lower court suspending the Ministry of Interior’s deportation order. The Ministry of Interior accused Iquioussen of inciting hate, discrimination, and violence in his public addresses between 2003 and 2019. The ruling indicated Iquioussen’s “antisemitic remarks, made for several years at numerous widely publicized conferences, as well as his speech on the inferiority of women and their submission to men, constitute acts of explicit and deliberate provocation to discrimination or hatred justifying the expulsion decision.” Following the ruling, police went to arrest Iquioussen at his home but did not find him. Iquioussen remained detained at year’s end in Belgium.

Under the 2021 Upholding Republican Values law, acts of online hate speech targeting public sector employees, elected officials, journalists, or a minor with the intent to cause harm are punishable by up to five years’ imprisonment and a substantial fine. Offenses targeting other members of the population are punishable by three years’ imprisonment and a fine. The law also makes it easier for authorities to block or delist websites promoting hate speech and accelerate legal proceedings against them.

On July 27, parliament adopted a law mandating that content providers may be fined if they fail to remove terrorist content in time; the law is designed to limit the dissemination of terrorist content online and incorporate European regulation of terrorist content online into national law. Far-left National Assembly deputies and Communist Party senators opposed the law over concerns it could be used to

violate freedom of expression, given the Constitutional Council struck down similar measures in the 2020 “Avia Law.”

Violence and Harassment: In 2019 the NGO Reporters without Borders (RSF) noted growing hatred directed at reporters in the country and an “unprecedented” level of violence from both protesters and riot police directed at journalists during “yellow vest” protests in 2018 and 2019. On July 20, RSF reported nine cases of police violence against journalists in 2021, a decline that continued in the first six months of the year, when two cases were reported. RSF also noted that police did not adequately protect journalists during protests, including those against COVID-19 protection measures, resulting in physical attacks by protesters against journalists. RSF drew attention to these inadequacies and asked the authorities to provide reporters with better protection. Of the 10 complaints filed by RSF since 2019, RSF reported in July that six were dismissed, one is still under investigation, and none has so far given rise to a trial.

In its annual report released on April 20, RSF stated that conditions at violent protests, harassment during investigations, and concentrated media ownership were detrimental to press freedom in the country. RSF also criticized the inspector general of the IGP police affairs bureau for summoning investigative journalists, which RSF asserted could “threaten the confidentiality of a reporter’s sources, which are not sufficiently protected by French legislation.”

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: While independent media were active and generally expressed a wide variety of views without restriction, print and broadcast media, books, and online newspapers and journals were subject to the country’s antidefamation and hate-speech laws.

Libel/Slander Laws: Defamation is a criminal offense, although it does not carry the possibility of imprisonment as punishment. The law distinguishes between defamation, which consists of the accusation of a particular fact, and insult, which does not.

National Security: RSF continued to raise concerns regarding police and prosecutors questioning reporters on national security grounds. On June 25, RSF

issued a statement expressing dismay at the “disproportionate and intimidating methods” used by the judicial authorities against Alex Jordanov, a journalist alleged to have revealed “defense secrets” in a 2019 book about the country’s domestic intelligence agency, the General Directorate for Internal Security (DGSI). Jordanov was placed in police custody for questioning on June 22. After two days, Jordanov was released under judicial supervision on June 24 while being investigated for revealing defense secrets, concealing a breach of professional secrecy, violating the confidentiality of judicial investigations, and publishing information that could allow the identification of an intelligence agency operative or source. Titled *The Shadow Wars of the DGSI*, Jordanov’s book provided details about the agency’s operating methods, including how it recruits, manages, and pays its sources.

Nongovernmental Impact: Authorities opened an investigation in February 2021 for attempted murder after a news photographer working for the newspaper *L’Union*, Christian Lantenois, was attacked and seriously injured while covering a reported surge of youth violence in the northeastern city of Reims in February 2021. The victim was in serious condition after being hit on the head by a projectile and spent one month in a coma. Senior government officials condemned the assault. In March 2021, police arrested an individual, age 22, who was charged for aggravated attempted murder and placed in pretrial detention. The date for a trial had not been set at year’s end.

On April 26, the Rennes prosecutor charged four men over a violent attack in March 2021 on an exiled Azerbaijani blogger who was critical of Azerbaijani President Ilham Aliyev and his family. Several individuals rushed out of a vehicle to punch and stab Mahammad Mirzali in the western city of Nantes, fleeing the scene and leaving the victim with multiple wounds. The four suspects, three of whom were born in Azerbaijan and one in Georgia, were charged with attempted murder in an organized group and remanded in custody ahead of trial.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority.

Under the law, intelligence services have the power to monitor suspected threats to public order and detect future terrorists. The law also provides a legal framework for the intelligence services' activities. Laws against hate speech apply to the internet.

On May 20, the country's Data Protection Authority released its annual report. According to the report, the Central Office on the Fight against Crimes Linked to Information and Communication Technology ordered the removal of 14,888 terrorist-related online items during 2021. Of 81,409 internet addresses users flagged to authorities, the report noted the Central Office assessed 23,323 of them to be illegal, including 597 addresses related to terrorism. Most illegal content the office found related to child pornography.

b. Freedoms of Peaceful Assembly and Association

The constitution and law provide for the freedoms of peaceful assembly and association, subject to certain security conditions, and the government generally respected these rights.

Freedom of Peaceful Assembly

The government enacted security legislation in 2019 that gave security forces greater powers at demonstrations, including the power to search bags and cars in and around demonstrations. It also approved making it a criminal offense for protesters to conceal their faces at demonstrations, punishable by one year in prison and a fine.

Freedom of Association

The constitution and law provide for the freedom of association, and the government generally respected this right.

In July 2021, parliament approved the Upholding Republican Values law, which gives authorities broad powers to monitor and close religious organizations and groups. The government dissolved several Muslim organizations accused of inciting hatred, violence, and discrimination. As of January 12, authorities have closed 22 mosques in the framework of the fight against separatism. Some

religious groups, in particular Muslim groups, criticized the law for unfairly targeting religious organizations and for infringing on their freedom of association.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these related rights. The law permits the government to cancel and seize passports and identification cards of nationals in some circumstances, such as when there are serious reasons to believe they plan to travel abroad to join a terrorist group or engage in terrorist activities.

In-country Movement: The law requires persons engaged in itinerant activities with a fixed domicile to obtain a license that is renewable every four years. Itinerant persons without a fixed abode must possess travel documents.

e. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Access to Asylum: The laws provide for the granting of asylum or refugee status, and the government has a system for providing protection to refugees. The system was active and accessible to those seeking protection. The Office for the Protection of Refugees and Stateless Refugees (OFPRA) provided asylum application forms in 24 languages, including Albanian, Arabic, English, Russian, Serbo-Croatian, Tamil, and Turkish. Applicants, however, must complete them in French, generally without government-funded language assistance. Applications for asylum must be made on French territory or at a French border-crossing point. Asylum seekers outside of the country may request a special visa for the purpose

of seeking asylum from a French embassy or consulate. After arrival in France, the visa holder must follow the same procedure as other asylum seekers in the country. Unlike other applicants, however, visa holders were authorized to work while their application was processed and evaluated. Asylum seekers may appeal decisions of OFPRA to the National Court on Asylum Law.

The law states that a person can remain in administrative detention for a maximum of 90 days and that the duration of administrative detention to verify an individual's right to stay should not exceed 24 hours. The law puts the duration of residence permits for persons granted subsidiary protection and for stateless refugees at four years and enables foreigners who have not been able to register for asylum to access shelter. It includes measures to protect girls and young men exposed to the risk of sexual mutilation, states that a country persecuting lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons cannot be considered "safe," and adopts protective provisions on the right to remain for survivors of domestic violence. It also requires unaccompanied migrant children to be taken into the care of the child protection system.

OFPRA stated that priority attention was given to women survivors of violence, persons persecuted based on their sexual orientation, victims of human trafficking, unaccompanied minors, and victims of torture.

Abuse of Migrants and Refugees: According to police, Calais continued to be a gathering point for migrants from the Middle East and Africa trying to reach the United Kingdom. As of September, authorities estimated that 500 migrants and refugees lived around Calais, while support groups said the number was closer to 1,000.

On May 13, police dismantled the largest migrant camp in Calais, moving some 350 persons to temporary shelters in the region. Local authorities had provided interpreters, and aid groups had been handing out meals to the estimated 350 persons who were living in the makeshift camp near the city. The police prefecture said the camp created "serious problems" for the security, hygiene, and peace of mind for private landowners. The migrant aid organization Human Rights Observers reported police conducted 1,226 evictions from informal settlements in Calais in 2021.

On March 24, the Douai court of appeals convicted Louis Le Franc, then Calais prefect, of illegally demolishing a camp home to 800 persons in 2020. The prefect said he acted on the decision of the prosecutor's office. The court considered he acted on his own initiative and that he should have requested authorization from an administrative judge to proceed with the evacuation of persons from the camp. On April 5, the Pas-de-Calais Prefecture appealed the ruling. As of the end of the year, the case was still ongoing.

On September 8, the Boulogne-sur-Mer prosecutor's office announced the opening of an investigation into "possible violence committed by people holding public authority" in Calais, after Human Rights Observers reported on the incident. The Inspectorate General of the National Police of Lille was tasked with investigating the alleged violence against two refugees by police officials. The medical reports of the victims showed fractures and bleeding of the nasal bridge, heart palpitations, chest pain, and scrotal pain. The investigation was ongoing at year's end.

Freedom of Movement: Authorities maintained administrative holding centers for foreigners pending deportation. Authorities could hold undocumented migrants in these facilities for a maximum of 90 days, except in cases related to terrorism. There were 21 holding centers on the mainland and four in the overseas territories, with a total capacity of 2,196 persons.

On March 17, six refugee and migrant assistance associations (Association Service Social Familial Migrants, Forum-Refugies-Cosi, France Terre d'Asile, the Inter-Movement Committee for Aid of Evacuees, Ordre de Malte, and Solidarite Mayotte) released a joint annual report that estimated 42,353 undocumented migrants were placed in administrative holding centers in 2021, representing a 51 percent increase from 27,917 persons placed in such centers in 2020. Among those 42,353 migrants, 26,485 were detained in Mayotte, a French overseas department located in the Indian Ocean. According to the report, the government detained 3,211 children, including 3,135 in Mayotte. The report stated the detention and the deportation of children from Mayotte's holding center were characterized by serious violations of their fundamental rights.

The exercise of an effective remedy against detention and deportation decisions in Mayotte was very limited due to the restrictive regime established by the national

government for access to French nationality for children born on the island and the rapidity of evictions. Many children were detained illegally without at least one of their parents. According to the migrant assistance associations' report, some families were separated during these deportations. The report noted, however, that in 92 percent of cases, the duration of detentions did not exceed 48 hours. Civil society organizations continued to criticize the provision of the 2018 asylum and immigration bill that provides for up to 90 days' detention time for foreigners subject to deportation. In 2021 the government did not report uniformly screening migrants in Mayotte for trafficking indicators prior to their deportation. The government also did not report taking steps to address the 3,000 to 4,000 unaccompanied Comorian minors at risk for sex and labor trafficking in Mayotte by offering medical, shelter, education, or other protection services.

Durable Solutions: The government has provisions to manage a range of solutions for integration, resettlement, and return of migrants and unsuccessful asylum seekers. The government accepted refugees for resettlement from other countries and facilitated local integration and naturalization, particularly of refugees in protracted situations. The government assisted in the safe, voluntary return of migrants and unsuccessful asylum seekers to their home countries. In 2021, the latest year for which statistics were available, the government voluntarily repatriated 5,000 undocumented migrants, a 10 percent increase from 2020. As of April, the government offered an allowance of €650 (\$695) per person (adults and children) for the voluntary return of asylum seekers from countries whose citizens need a visa to enter France and €300 (\$321) per person (adults and children) for those from countries whose citizens did not need a visa for entry into France or were citizens of Kosovo.

Temporary Protection: Authorities may grant individuals a one-year renewable permit and may extend the permit for an additional two years to individuals who may not qualify as refugees. Following the exceptional authorization issued by the Council of the European Union on March 4 to grant temporary protection to displaced persons from Ukraine, the government granted temporary protection to Ukrainian nationals who were residing in Ukraine before February 24; to non-Ukrainian nationals benefitting from protection (international or equivalent national protection) granted by Ukrainian authorities before February 24; and to

family members of a person falling under one of the above two cases displaced from Ukraine after February 24. According to official statistics, as of June 22, 91,569 persons were receiving the allotment for asylum seekers in France in the name of temporary protection.

f. Status and Treatment of Internally Displaced Persons:

Not applicable.

g. Stateless Persons

OFPPA reported there were 1,716 stateless persons in the country at the end of 2021, 34 percent of whom were women. It attributed statelessness to various factors, including contradictions among differing national laws, government stripping of nationality, and lack of birth registration. As the agency responsible for the implementation of international conventions on refugees and stateless persons, OFPPA provided benefits to stateless persons. OFPPA's annual report stated that it made 491 stateless status requests in 2021 and granted stateless status to 119 persons in 2021. The government provided a one-year residence permit marked "private and family life" to persons deemed stateless that allowed them to work. After two permit renewals, stateless persons could apply for and obtain a 10-year residence permit.

The law affords persons the opportunity to gain citizenship. A person may qualify to acquire citizenship if: either of the person's parents is a citizen, the person was legally adopted by a citizen, the person was born in the country to stateless parents or to parents whose nationality does not transfer to the child, or the person married a citizen. A person who has reached the legal age of majority (18) may apply for citizenship through naturalization after five years of habitual residence in the country. Applicants for citizenship must have good knowledge of both the French language and civics.

Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens the ability to choose their government through free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: Observers considered the April 10 and April 24 presidential and separate parliamentary (National Assembly) elections on June 12 and 19 were free and fair.

Participation of Women and Members of Minority Groups: No law limits participation of women or minority groups in the political process, and they did participate.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were isolated reports of government corruption during the year.

Corruption: In 2020 former President Nicolas Sarkozy stood trial on corruption charges for trying to obtain confidential information through his lawyer from a judge. Prosecutors claimed he offered to help the judge obtain a well-paid post in Monaco in exchange for the information, leading to charges of corruption and influence peddling. In March 2021, the Paris Criminal Court found Sarkozy guilty of corruption and influence peddling in the “Wiretapping Affair.” Sarkozy, his lawyer, Thierry Herzog, and retired magistrate Gilbert Azibert, were each sentenced to three-year prison terms, with two years suspended. All three appealed the verdict. The appeal trial began on December 5, and the verdict is pending.

On January 21, a Paris court sentenced Claude Guéant, former chief of staff of former President Nicolas Sarkozy who also served as minister of interior, to a one-year prison sentence with a requirement to serve a minimum of eight months. Guéant was accused of ordering polls for Sarkozy in secret and without competition for an amount of €7.5 million (\$8 million), breaking public financing laws that require transparency and competitive bidding. He appealed the court’s decision. He was released on parole in February, and the trial was ongoing at the year’s end.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

A wide variety of domestic and international human rights organizations generally operated, investigated, and published their findings on human rights cases without government restrictions. Government officials were generally cooperative and responsive to their views.

Government Human Rights Bodies: The National Consultative Commission on Human Rights (CNCDH) advised the government on human rights and produced an annual report on racism and xenophobia. Domestic and international human rights organizations considered the CNCDH independent and effective. Observers considered the Defender of Rights independent and effective, with access to all necessary resources.

Following the April 2021 Supreme Court ruling that the killer of Sarah Halimi, a Jewish woman, age 65, was unfit to stand trial because his cannabis use prior to the killing rendered him psychotic, the National Assembly in July 2021 established a parliamentary commission of inquiry into the affair. The investigation was able to summon police officers, witnesses, judges, ministers, and others to examine the case. On January 11, the parliamentary commission released its report, which found no significant disfunction in the case's handling, but included 12 recommendations to improve police investigations.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law criminalizes rape of a person, regardless of gender, including spousal rape, and the government generally enforced the law effectively. The penalty for rape is 15 years' imprisonment, which may be increased. The government and NGOs provided shelters, counseling, and hotlines for rape survivors.

The law prohibits domestic violence against women and men, including spousal

abuse, and the government generally enforced the law effectively. The penalty for domestic violence varies from three years to 20 years in prison and a substantial fine.

The government sponsored and funded programs for survivors of gender-based violence, including shelters, counseling, hotlines, free mobile phones, and a media campaign. The government also supported the work of 25 associations and NGOs dedicated to addressing domestic violence.

To protect domestic violence survivors, the law authorizes doctors to waive medical confidentiality and report to police if a patient's life is in "immediate danger." The law reinforces harassment penalties and includes a 10-year prison sentence in cases where violence led to a victim's suicide. The law also makes it possible for authorities to suspend parental rights in cases of domestic violence.

Judges in five courts (Bobigny, Pontoise, Douai, Angouleme, and Aix-en-Provence) may order domestic violence offenders to wear electronic tracking bracelets with a monitor that alerts survivors and police if the abuser comes within a certain distance of the survivor. Judges may order trackers for men charged with assault, even if not yet convicted, provided sufficient grounds are met and the suspect accepts. If a suspect refuses a tracker, the judge may order prosecutors to open a criminal inquiry. Survivors will be given a warning device, and alleged offenders must submit to restraining orders as defined by judges.

The government estimated more than 200,000 women were survivors of marital violence each year, with many cases never reported. Official statistics published on August 26 showed that 122 women were killed in domestic violence cases in 2021, up from 102 in 2020. Among those killed, 32 percent had previously faced domestic violence; 64 percent had reported the abuse to the police and 84 percent had filed a complaint. As of September 30, the feminist collective Nous toutes (All of us) estimated that 98 women were killed in cases involving domestic violence during the year.

On January 4, six police officers appeared before two disciplinary boards in Bordeaux and Paris for "administrative failings" concerning the 2021 murder investigation of Chahinez Daoud. Daoud was burned alive by her former husband

after police failed to respond to her reports. One of the officers was removed from the police force in January. In response to the mishandling of Daoud's complaint and the officer's violent past, Minister of Interior Gerard Darmanin declared in August 2021 that any police officer convicted of domestic abuse should no longer be in contact with the public. On September 23, the Ministry of Interior announced that 158 police officers and gendarmes convicted of domestic violence charges were removed from their duties and banned from interacting with the public.

In June 2021, the government announced a series of measures to offer women better protection, to include evaluating the danger posed by a perpetrator prior to any easing of sentences. As November 25, police gave 4,300 emergency telephones to survivors of abuse to make calls in case of immediate danger. The government also announced the "reinforcement of the control and possession" of weapons and the creation of a committee to monitor the measures, as well as the introduction of a conjugal violence file, shared and updated each time the police are called in to deal with a case of conjugal violence or when a formal complaint is lodged.

On February 1, a decree making it mandatory to notify survivors of domestic violence when their former partners are released from jail became effective. The decree calls for the court to assess the need to monitor the offender to protect women and children by fitting abusers with an electronic bracelet (a tracking device).

Female Genital Mutilation/Cutting (FGM/C): FGM/C was practiced in the country, particularly within diaspora communities. Various laws prohibit FGM/C and include extraterritorial jurisdiction, allowing authorities to prosecute FGM/C, which is punishable by up to 20 years in prison, even if it is committed outside the country, and up to 30 years if the FGM/C leads to the death of the victim. The government provided reconstructive surgery and counseling for FGM/C survivors.

According to the latest statistics available from the Ministry of Gender Equality and the Fight against Discrimination, 53,000 FGM/C survivors resided in the country; the majority were from sub-Saharan African countries where FGM/C was prevalent, and the procedure was performed. According to the most recent

statistics released in 2016 by the Group against Sexual Mutilation, 350 excisions were performed in the country each year. In 2019 the National Public Health Agency estimated the number of survivors of FGM/C rose from 62,000 in the early 2000s to 124,000 in the middle 2010s.

On February 6, the International Day of Zero Tolerance for Female Genital Mutilations/Cutting, former Minister of Gender Equality and the Fight against Discrimination Elisabeth Moreno announced the allocation of €300,000 (\$321,000) to implement a key provision of the 2019 national action plan to eradicate FGM/C. The funds will support the expansion of a study on the prevalence of FGM/C in the country.

On March 31, a Le Mans criminal court sentenced a mother to a five-year suspended sentence for circumcising her three eldest daughters during trips to Djibouti. The court found the mother to be willfully complicit in a violent act resulting in permanent mutilations of her daughters.

The country offers asylum for women who are survivors of sexual mutilation. In 2021, OFPRA granted refugee status to approximately 1,350 women and girls on these grounds. As of December 2021, OFPRA protected 14,123 minors on grounds of risk of FGM/C, including 3,216 from Ivory Coast.

Sexual Harassment: The law prohibits gender-based violence, including sexual harassment of both women and men in the workplace. Sexual harassment is defined as “subjecting an individual to repeated acts, comments, or any other conduct of a sexual nature that are detrimental to a person’s dignity because of their degrading or humiliating character, thereby creating an intimidating, hostile, or offensive environment.” The government enforced the law.

The law provides for on-the-spot fines for persons who sexually harass others on the street (including wolf whistling), and substantial fines if there are aggravating circumstances. The law covers sexual or sexist comments and behavior that is degrading, humiliating, intimidating, hostile, or offensive and provides for increased sanctions for cyberstalking and prohibits taking pictures or videos under someone’s clothes without consent, which is punishable by up to one year in prison and a substantial fine.

Under a government plan, court proceedings for street harassment cases are fast-tracked. The plan also established a program under which businesses that choose to participate can serve as refuge shelters for women subjected to street harassment. Participating locations are identified by a label displayed in the window. The government operated a “barometer” program to assess the street harassment phenomenon and map “red areas” of concern.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

In September 2021, then Health Minister Olivier Veran announced that contraception would be free for women up to the age of 25 beginning in 2022, extending a program under which girls ages 15 to 18 could receive free contraception. The minister stated that 25 was chosen as the age limit because “this age corresponds with more economic and social autonomy,” adding that “it’s also the age limit for coverage under one’s family health plan.”

On September 20, Health Minister François Braun announced that emergency contraception would be free for all women. Women now have access to the pill from pharmacies without a prescription. The government provided access to sexual and reproductive health services for survivors of sexual violence. Emergency contraception was available as part of clinical management of rape.

On February 19, the government eased access to abortion medication as an alternative to more invasive surgical procedures by permitting the provision of abortion medication up to the seventh week of pregnancy via telemedicine, rather than requiring visits to health facilities. On February 23, parliament voted to extend the legal timeframe for abortion from the 12th to the 14th week of pregnancy.

Discrimination: The law prohibits gender-based job discrimination and harassment of subordinates by superiors, but this prohibition does not apply to relationships between peers. The constitution and law provide for the same legal status and rights for women as for men, including under family, religious, personal status, labor, employment, property, and nationality laws, as well as laws related to inheritance, access to credit, and owning or managing businesses or property in

line with the Women's Global Development and Prosperity Initiative. The Ministry of Gender Equality, Diversity, the Fight against Discrimination and Equal Opportunities is responsible for protecting the legal rights of women. The constitution and law provide for equal access to professional and social positions, and the government generally enforced the laws.

There was discrimination against women with respect to employment and occupation (see section 7.d.), and women were underrepresented in most levels of government leadership.

Systemic Racial or Ethnic Violence and Discrimination

The country's laws protect members of racial or ethnic minorities or groups from violence and discrimination, and the government generally enforced them effectively. The criminal code punishes the authors of violence committed against individuals, and the penalties are increased when they have been committed for racial and ethnic reasons. Discrimination law bears on everyday measures and practices. Discrimination is defined as the unequal and unfavorable treatment of an individual or group of individuals based on prohibited grounds and in a specific area defined by law such as employment, education, housing, or health care. Nearly 25 discrimination grounds are stipulated in the criminal code and associated laws, including origin, gender, physical appearance, or the economic circumstances of an individual.

On July 5, the Defender of Rights reported registering 2,508 complaints based on racial discrimination against the security forces' intervention methods in 2021. The Defender of Rights noted a 6.1 percent increase in complaints related to the "ethics of security" in 2021 compared with the previous year.

In its annual report on the fight against racism, antisemitism, and xenophobia, published on July 18, the CNCDH underlined the "continued prevalence of discriminatory behaviors" based on real or assumed background, religion, or skin color. Societal violence and discrimination, including in employment and occupation (see section 7.d.), against immigrants of North African origin, Roma, and other ethnic minorities remained a problem. Many observers, including the Defender of Rights and the CNCDH, expressed concern that discriminatory hiring

practices in both the public and private sectors deprived minorities from sub-Saharan Africa, the Maghreb, the Middle East, and Asia of equal access to employment.

On March 11, the Ministry of Interior announced the government registered 1,803 racist and xenophobic hate crimes involving threats or violence in 2021, a 23 percent increase from the number recorded in 2020 with 1,461 acts. On March 29, the Central Territorial Intelligence Service reported 1,659 antireligious acts were recorded in 2021, including 857 antichristian acts, 589 antisemitic acts, and 213 anti-Muslim acts, representing a 20 percent increase from 2020, when 1,386 antireligious acts were recorded. The Ministry of Justice reported it reviewed 7,759 cases related to racism in 2020 (compared with 7,405 in 2019) and 955 racist offenses were punished with convictions.

Government observers and NGOs, including the French Council of the Muslim Faith (CFCM), reported several anti-Muslim incidents during the year, including slurs against Muslims, attacks on mosques, and physical assaults. The total number of anti-Muslim acts decreased by 10 percent, from 234 in 2020 to 213 in 2021. Violent acts against Muslims constituted 41 percent of all the anti-Muslim acts, while threats constituted 59.1 percent of all anti-Muslim acts reported in 2021. During the April presidential elections, NGO SOS Racism called attention to the increasing tolerance of racist and anti-Muslim language expressed by then far-right presidential candidate Eric Zemmour, who stated that France should remain "the landscape of churches" and that he "rejects huge mosques."

On June 13, the Rennes prosecutor announced the opening of an investigation after a fire had partially destroyed a mosque in the western city of Rennes on June 12. The initial findings suggested the fire was of criminal origin. The investigation was ongoing at year's end.

Societal hostility against Roma, including Romani migrants from Romania and Bulgaria, continued to be a problem. There were reports of anti-Roma violence by private citizens. Romani individuals, including migrants, experienced discrimination in employment. Government data estimated there were 20,000 Roma in the country.

On July 18, the CNCDH stated in its annual report that intolerance of Roma remained particularly stark and had changed little since 2016. The CNCDH 2021 report showed the Romani community remained the community regarded most negatively in public opinion. The report, however, pointed out that Roma were less often used as scapegoats by political, social, and media elites than in previous years. Roma and unaccompanied minors were at risk for forced labor trafficking, specifically forced begging and forced theft.

Authorities continued to dismantle camps and makeshift homes inhabited by Roma. According to the Observatory for Collective Expulsions from Informal Living Places, authorities evicted persons from 1,330 places between November 2020 and the end of October 2021, versus 1,079 for the period between November 2019 and the end of October 2020. Among those experiencing expulsions, 1,024 places were in Calais and its area and 306 in the rest of the country. Among those 306 places, 106 were targeting places occupied by persons “mainly coming from Eastern Europe, (who were) Romani or perceived as such.”

On September 21, the European Commission against Racism and Intolerance (ECRI) published a report calling on the country to improve minority groups’ rights and to introduce a system of recording “stop and account” actions by law enforcement officials, as well as to recognize the caravans of “travellers,” or nomadic groups, as a type of housing. ECRI further called for a review of the restrictions on where and for how long caravans could be parked. ECRI also recommended authorities step up their efforts to ensure that adequate assessments of accommodation, placement, and social service needs are completed prior to any clearance of illegal settlements, including those of Roma or travellers, that the resources available are increased accordingly, and that no legitimate residence applications are rejected.

Citizens, asylum seekers, and migrants may report cases of discrimination based on national origin and ethnicity to the Defender of Rights. According to the most recent data available, the office received 7,096 discrimination claims in 2021, 15.2 percent of which concerned discrimination based on ethnic origin. The government attempted to combat racism and discrimination through programs that promoted public awareness and brought together local officials, police, and citizens. Some public-school systems also managed antidiscrimination education

programs. The Interministerial Delegation to Fight Against Racism, Antisemitism, and Anti-LGBT Hate, an organization reporting to the prime minister, coordinated the government's efforts to combat racism, antisemitism, and homophobia.

Children

Birth Registration: The law confers nationality to a child born to at least one parent with citizenship or to a child born in the country to stateless parents or to parents whose nationality does not transfer to the child. Parents must register births of children regardless of citizenship within three days at the local city hall. Parents who do not register within this period are subject to legal action.

Child Abuse: There are laws against child abuse, including against rape, sexual assault, corruption of a minor, kidnapping, child pornography, and human trafficking, including both child sex trafficking and labor trafficking. The government actively worked to combat child abuse. Penalties were generally severe.

On January 25, parliament adopted a law that reinforced the national strategy for the prevention of child abuse and protection of children by updating the legal definition of abuse, decentralizing the decision making of care and prevention programs, and enhancing protections for unaccompanied minors. The law also bans the use of hotels to temporarily house minors, an action NGOs criticized in the past. Finally, the law established a National Child Protection Council to coordinate policy at the national level.

On March 3, former Secretary of State to the Prime Minister in charge of Children Adrien Taquet, in conjunction with Minister of National Education Pap Ndiaye, launched a campaign to increase awareness of the three emergency hotlines dedicated to children's issues. According to a 2020 French Institute of Public Opinion poll, one in 10 persons in the country reported experiencing sexual violence during childhood. In 80 percent of the cases, the abuses were committed by family members. In 2021, the emergency hotline number to respond to child violence concerns received 39,867 calls, and 22,224 requests were transferred to the departmental unit for collection of treatment and evaluation for follow-up, and 17,643 received immediate assistance. Approximately 18 percent of the callers

were minors, and in 81.6 percent of the cases parents were presumed to be the principal perpetrators of violence. Sex with children younger than 15 is legally considered rape, punishable by up to 20 years in prison, unless there is a small gap between the two partners. The law also makes it illegal for an adult to have sex with a relative younger than age 18.

Child, Early, and Forced Marriage: The minimum legal age for marriage is 18. Early marriage was a problem mainly for communities from the Maghreb, Sub-Saharan Africa, and South Asia. The law provides for the prosecution of forced marriage cases, even when the marriage occurred abroad. Penalties for violations are up to three years' imprisonment and a substantial fine. Women and girls could seek refuge at shelters if their parents or guardians threatened them with forced marriage. The government offered educational programs to inform young women of their rights.

In July 2021, parliament adopted the bill Upholding Republican Values, which makes it illegal for medical professionals to issue virginity certificates, as the government considered those certificates usually preceded a forced marriage. The bill also allows city hall officials to interview couples separately when there were concerns the relationship may be a forced marriage.

Sexual Exploitation of Children: The law criminalizes sexual exploitation of children. The minimum age of consent is 15, and sexual relations with a minor between the ages of 15 and 18 are illegal when the adult is in a position of authority over the minor. For rape of a minor younger than 15, the penalty is 20 years' imprisonment, which may be increased in the event of aggravating circumstances. Other sexual abuse of a minor younger than 15 is punishable by up to 10 years in prison and a substantial fine. The law provides that underage rape victims may file complaints up to 30 years after they turn 18.

The government enforced these laws effectively. The law also criminalizes child sex trafficking with a minimum penalty of 10 years' imprisonment and a substantial fine. The law prohibits child pornography; the maximum penalty for its use and distribution is five years' imprisonment and a substantial fine.

Given the significant increase in children exploited in commercial sex in the past

few years, which the Ministry of Solidarities and Health estimated to be between 7,000 and 10,000 predominantly French girls, in April 2021 the CNCDH, the national rapporteur, publicly urged the government to adopt a clear criminal policy against the sexual exploitation of children. The rapporteur recommended improving the identification of child trafficking victims by increasing training and data collection, targeting online platforms, and increasing national awareness campaigns. In 2021, the government established a new unit of eight investigators specializing in the exploitation of children in commercial sex, which included child sex trafficking, as well as a cooperation mechanism for victim assistance on police operations with a civil society network.

In July 2021, then Junior Minister for Child Protection, Adrien Taquet, stated that a report by experts in education, the judiciary, law enforcement, health care, and child protection NGOs noted a 70 percent increase in the number of minors in commercial sex in the previous five years, based on Ministry of Interior statistics. They were typically girls between the ages of 15 and 17 from all social classes, often vulnerable due to family situations, who were recruited via social media and did not self-identify as victims, according to the report.

In October 2021, the Independent Commission on Sexual Abuse in the Church, established in 2018 by the French Catholic Church, released its report on child abuse committed by Catholic priests in the country since the 1950s following a two-and-a-half-year investigation. The report found that 216,000 minors were victims of abuse from 1950 to 2020. Deceased victims were not counted, and according to the report, the number of victims could climb to 330,000 when claims against lay members of the church, such as teachers at Catholic schools, were included. The report found that 80 percent of the victims were boys, typically between the ages of 10 and 13 and from a variety of social backgrounds. The commission president, Jean-Marc Sauve, said the abuse was systemic and the church had shown “deep, total and even cruel indifference for years.” As of September 29, some 1,004 requests have been sent to the Independent National Instance for Recognition and Reparation (INIRR) since its establishment in January. One hundred and fifty individuals are in touch with an INIRR case worker. Around 60 cases have resulted in a decision, 42 of which included financial compensation of up to €60,000 (\$64,200), according to a first report

published by the INIRR president.

Displaced Children: By law unaccompanied migrant children are taken into the care of the country's child protection system. NGOs continued to assess that border police summarily returned unaccompanied migrant children attempting to enter via Italy, rather than referring them to the child protection system. In February, the Defender of Rights, a government ombudsman, stated that more than 10 percent of the child rights referrals the office received in 2020 concerned foreign minors, most of whom were unaccompanied. According to the latest data available, in 2021 child welfare services aided 9,524 unaccompanied minors. Roma and unaccompanied minors were at risk for forced labor trafficking, specifically forced begging and forced theft.

The government did not report taking steps to address the 3,000 to 4,000 unaccompanied Comorian minors who were at risk for sex and labor trafficking in the French department of Mayotte by offering them medical, shelter, education, or other protection services.

Antisemitism

To promote equality and prevent discrimination, the law prohibits the collection of data based on race, ethnicity, and religion. A 2018 report by the Berman Jewish Data Bank estimated there were 453,000 Jews in the country.

NGO and government observers reported numerous antisemitic incidents, including physical and verbal assaults on individuals and attacks on synagogues, cemeteries, and memorials, particularly in the Alsace-Lorraine region. Minister of Interior Gerard Darmanin stated during a speech at the inauguration of a synagogue in Paris on September 14 that the number of antisemitic acts during the first six months of the year decreased by 25 percent. The Ministry of Interior recorded 227 antisemitic acts between January and June, compared to 298 during the same period in 2021.

According to the Representative Council of Jewish Institutions in France (CRIF), 436 antisemitic acts were recorded in the year versus 589 in 2021, a 26 percent reduction. Incidents targeting individuals – as opposed to buildings and institutions – accounted for 53 percent of all incidents; 10 percent were violent

physical assaults. According to the Ministry of Interior, 61 percent of antireligious acts targeting individuals were directed against Jews, despite representing less than 1 percent of the population. The American Jewish Council's January report stated that 48 percent of French individuals believed that rejection of Israel (53 percent) and Islamist ideas (48 percent) were the two main causes of antisemitism. The survey results also indicate that Jews in France are more likely to feel threatened because of their ethnic origins (19 percent compared to 10 percent of the French population). According to the survey, 70 percent of French Jews indicated they have been victims of at least one antisemitic act in their lifetime.

According to statistics released by the Ministry of Armed Forces in March 2021, the government continued to deploy 3,000 military personnel throughout the country to patrol sensitive sites, including vulnerable Catholic, Jewish, and Muslim sites and other places of worship. This number could go up to as many as 10,000 personnel at times of high threat. Some Jewish leaders requested the government also provide static armed guards at Jewish places of worship.

On April 4, the family of a young Jewish man killed by a tram in a Paris suburb February 16 released a video of the incident indicating the incident could have been triggered by an assault, possibly antisemitic. The video showed Jeremy Cohen, age 31, assaulted by a group of 15 persons and fleeing from the attack before being killed by an oncoming tram. While it was not certain the victim was wearing his kippa when assaulted, the antisemitism watchdog National Bureau for Vigilance Against Antisemitism reported the religious head covering was found at the scene. Authorities opened an investigation for "willful violence resulting in death unintentionally," and on April 13 police arrested two individuals. The investigation was ongoing at year's end.

On May 17, the body of René Hadjadj was found at the foot of his building in Lyon, and his neighbor was arrested. Investigators did not initially charge the neighbor with a racist crime. On May 27, a prosecutor in the case told the media that the state is considering charging the suspect with a hate crime after the suspect posted several antisemitic messages on his social media, aggravating the circumstances of the act.

Antisemitic vandalism targeted Jewish sites, including Holocaust memorials. On

March 31, the Union of Jewish Students in France shared images on social media of antisemitic tags discovered in the bathroom of the University of Paris Nanterre, including an inscription that said, “Hitler, you are the best.” The president of the university said in a Twitter statement that the university “strongly condemns these acts.” He added that the vandalism was being cleaned up and an investigation had been launched.

Trafficking in Persons

See the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: No laws criminalize consensual same-sex sexual conduct between adults.

Violence against LGBTQI+ Persons: Homophobic violence and hate speech in the country increased by 36 percent in 2021, with 2,170 acts compared to 1,590 in 2020, according to Ministry of Interior statistics released May 16, on the eve of the International Day Against Homophobia, Transphobia, and Biphobia. The number of lawsuits for insults, threats and attacks has doubled during the 2016-2021 period, the ministry noted. Insults constituted 59 percent of the offenses. Victims were mainly men (73 percent) and under the age of 30 (51 percent). The Ministry of Interior stressed the statistics were based on reported cases and actual figures were likely higher. A 2012-2018 survey showed "only about 20 percent of victims of anti-LGBTQI+ threats or violence and only 5 percent of victims of anti-LGBTQI+ insults file complaints," the ministry reported. In a separate report released May 16, the National Consultative Commission on Human Rights noted that while the rights of LGBTQI+ persons have made progress in the country over the past 20 years, stereotypes persist. The LGBTQI+ population is "tolerated but not integrated," the commission said.

On March 23, six gay rights groups announced they had filed a lawsuit against then

presidential candidate Eric Zemmour over denial of crimes against humanity after he denied in his book published in September 2021 that homosexuals were rounded up and deported during the Nazi occupation of France in World War II.

On May 18, the Aix-en-Provence criminal court sentenced two former members of the French Foreign Legion responsible for the 2017 rape and physical assault of Algerian LGBTQI+ activist Zak Ostmane in a hotel room in Marseille. One of the two former soldiers was sentenced to 18 years in prison and the second to five years in prison. For the rape, as for the violence, the court accepted the aggravating circumstance of homophobia because of the sexual orientation of the victim.

Discrimination: The law prohibits discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics and recognizes LGBTQI+ individuals, couples, and their families. The law prohibits discrimination in housing, employment, nationality laws, and access to government services. The government enforced these laws. Authorities pursued and punished perpetrators of violence based on sexual orientation or gender identity.

On August 4, on the 40th anniversary of the country's abolition of a World War II-era law discriminating against homosexual individuals, Prime Minister Elisabeth Borne announced the creation of a new position of ambassador for LGBTQI+ rights to fight discrimination across the world. Ambassador Jean-Marc Berthon was appointed to this new office on October 26.

Availability of Legal Gender Recognition: Human rights organizations such as Inter-LGBT continued to criticize the government for requiring transgender persons to secure a judge's concurrence before obtaining legal recognition of their gender identity.

Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals: On January 25, parliament approved a law banning the practice of so-called gay-conversion therapy. The new law introduced prison sentences and fines for any citizen who attempts to change the sexual orientation or gender identity of LGBTQI+ persons. Those found guilty of so-

called gay conversion therapy could face two years' imprisonment and a significant fine. The punishment could rise to three years in prison and a larger fine for attempts involving children or other particularly vulnerable persons.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly:

There were no restrictions on the freedoms of association, assembly, or expression during the year.

Persons with Disabilities

The constitution and law protect the rights of persons with physical, sensory, intellectual, and mental disabilities, including their access to education, employment, health services, information, communications, public buildings, transportation, the judicial system, and other state services on an equal basis with others. Adults with disabilities received an allowance from the government. Government information and communication on disability concerns is provided in accessible formats. The government did not always enforce these provisions effectively.

While the law requires companies with more than 20 workers to hire persons with disabilities, many such companies failed to do so and paid penalties.

The law requires that buildings, education, and employment be accessible to persons with disabilities. According to the latest government estimates available, 40 percent of establishments in the country were accessible. On October 5, the Prime Minister's Office announced the creation of an interministerial delegate in charge of advancing accessibility to buildings opened to the public.

According to statistics released in September by the Education Ministry, 430,000 children with disabilities attended schools in the country, including 67,000 in hospitals or social health-care institutions and 363,000 in "ordinary" schools. The government did not provide detailed statistics on how many of those 363,000 children attended class full time or for only a few hours a week, or whether they had the help of assistants for children with disabilities, as required.

On August 24, the Office of the Defender of Rights announced that 20 percent of referrals received concerning children's rights related to difficulties in accessing

education for children with disabilities.

In 2018 the government began implementing a four-year strategy to give autistic children access to education. The plan included increasing diagnosis and early years support for children with autism, increasing scientific research, and training doctors, teachers, and staff. In 2018, the cabinet council appointed an Interministerial Delegate for the National Strategy for Autism and Developmental Disorders, who is responsible for coordinating the implementation of the government's five-year strategy (2018-2022). In March, the government assessed the plan's progress and announced it had allocated €636 million (\$681 million) to the plan. It reported 42,000 autistic children attended schools in 2021 and that 422 specific classes for autistic children had been created.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The constitution and labor law provide workers the right to form and join unions of their choice without previous authorization or excessive requirements. The law provides for the right to bargain collectively and allows unions to conduct their activities without interference. Workers, except those in certain essential services, such as police and the armed forces, have the right to strike unless the strike threatens public safety. The law prohibits antiunion discrimination and forbids removing a candidate from a recruitment procedure for asking about union membership or trade union activities. The Ministry of Labor, Employment and Economic Inclusion treated such discrimination as a criminal offense and prosecuted cases of discrimination by both individuals and companies.

The government effectively enforced laws protecting freedom of association, collective bargaining, and the right to strike for workers. Public-sector workers must declare their intention to strike at least 48 hours before the strike commences. In addition, a notification of intent to strike is permissible only after negotiations between trade unions and employers have broken down. Workers are not entitled to receive pay while striking. Wages, however, may be paid retroactively. Health-care workers were required to provide a minimum level of service during strikes. In the public transportation (buses, metro) and rail sectors, the law requires the

continuity of public services at minimum levels during strikes. This minimum service level is defined through collective bargaining between the employer and labor unions for each transportation system. For road transportation strikes, the law on minimum service provides for wages to be calculated proportionally to time worked while striking. Transportation users must also receive clear and reliable information on the services that would be available in the event of a disruption. Authorities effectively enforced laws and regulations, including those prohibiting retaliation against strikers. Penalties for violations were commensurate to those under other laws related to the denial of civil rights, and penalties were regularly applied against violators, although union representatives noted antiunion discrimination occasionally occurred, particularly in small companies.

The law allows for collective bargaining to occur between employers and employee representatives when no union is present. Unions note this allows some employers to bypass union organizations, or to negotiate exceptions to sector-wide agreements. In the civil service, collective bargaining agreements are not legally binding.

Workers freely exercised their rights to form and join unions and choose their employee representatives, conduct union activities, and bargain collectively. Most workers' organizations stressed their independence from political parties. Some union leaders, however, did not conceal their political affiliations.

During the COVID-19 pandemic, firms were required to consult labor unions before implementing organizational change in the workplace, including health and safety measures related to the sanitary crisis. Unions successfully sued firms they believed did not properly consult them. The government specifically requested proposals from labor unions on how to improve health and safety measures, optimize work schedules, and leverage teleworking capabilities.

b. Prohibition of Forced or Compulsory Labor

The law prohibits and criminalizes all forms of forced or compulsory labor. The government effectively enforced the law. The government also provided some financial support to some NGOs that assist victims; however, NGOs criticized the amount of funding generally provided by the government to all NGOs for victim

assistance as insufficient.

Men, women, and children, mainly from Eastern Europe, West Africa, and Asia, were subjected to forced labor trafficking, including domestic servitude. There were no government estimates of the extent of forced labor trafficking among domestic workers. Forced labor also occurred in construction, small commerce, agriculture, fishing, and livestock and seasonal migrant workers were vulnerable to forced labor in grape harvesting for wine production. In 2021 the NGO Committee against Modern Slavery assisted 262 victims of forced labor from 46 different countries, 67 percent of whom were women.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits all the worst forms of child labor. The minimum age for employment is 16, with exceptions for persons enrolled in certain apprenticeship programs, working in the entertainment industry, family-owned businesses, or age-appropriate work during school vacations, who are subject to further labor regulations for minors. The law generally prohibits persons younger than 18 from performing work considered arduous or dangerous, such as working with dangerous chemicals, high temperatures, heavy machinery, electrical wiring, metallurgy, dangerous animals, working at heights, or work that exposes minors to acts or representations of a pornographic or violent nature. Persons younger than 18 are prohibited from working on Sunday, except as apprentices in certain sectors, including hotels, cafes, caterers, and restaurants. Youth are prohibited from working between 8 p.m. and 6 a.m. when they are younger than 16 and between 10 p.m. and 6 a.m. when they are between 16 and 17. The government effectively enforced labor laws. Penalties were commensurate with those for analogous serious crimes. During the year, there were no confirmed reports of the worst forms of child labor. Inspectors from the Ministry of Labor investigated workplaces to enforce compliance with all labor statutes. To prohibit violations of child labor statutes, inspectors may place employers under observation or refer them for criminal prosecution. In its 2017 and 2022 reports, the Group of Experts on Action against Trafficking in Human Beings expressed concern that police

continued to arrest and prosecute child victims of forced begging and forced criminality without screening for trafficking indicators. The government sometimes applied penalties against violators of child labor laws, reporting a small number of fines were issued in 2021.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/> for information on the French overseas collective of Wallis and Futuna.

d. Discrimination with Respect to Employment and Occupation

The labor code prohibits discrimination in respect of employment and occupation based upon an individual's national origin, color, sex (including pregnancy), customs, age, sexual orientation, gender identity, HIV or AIDS status, genetic characteristics, particular vulnerability resulting from an economic situation that is apparent or known to the author of the discrimination, real or perceived ethnicity, nationality, or race, political opinions, trade union or mutual association activities, religious beliefs, physical appearance, family name, place of residence or fiscal domicile, state of health, loss of autonomy or disability, and ability to express oneself in a language other than French. Authorities generally enforced this prohibition, and penalties for violations were commensurate with those under other laws related to civil rights. Penalties were sometimes applied against perpetrators.

Employment discrimination based on sex, gender, disability, and national origin occurred (see section 6). The country's Romani community faced employment discrimination. In February 2021, the Paris Court of Appeal ruled that the BNP Paribas bank had discriminated against an employee based on his Maghreb Arabic ethnic origin, awarding the plaintiff €50,000 (\$53,500) in damages. A 2020 government study found that job applications to large companies from a candidate with names that had North African origin had a lower success rate (9.3 percent) compared with candidates with a European origin name (12.5 percent).

A gender equality law provides measures to reinforce equality in the workplace as well as sanctions against companies whose noncompliance could prevent women from bidding for public contracts. The law also requires employers to conduct yearly negotiations with employees on professional and pay equity between

women and men in companies with more than 50 employees. The companies must publish on their company websites an estimate of salary disparities between men and women. The law requires that every employer ensure, for the same work or for work of equal value, equal pay for women and men. In June 2021, the National Institute of Statistics and Economic Studies (INSEE) released a study on the gender pay gap between 2008 and 2018, which found that in 2018 the average monthly pay for women was €2,118 (\$2,270), while that of men was €2,547 (\$2,730). On June 2, the Paris Court of Appeal ordered insurance company Federation Nationale de la Mutualite Francaise to pay more than €375,850 (\$402,000) to an employee due to the company's gender discrimination manifested in the employee's wages.

An April 2021 report on the employment and unemployment of persons with disabilities from the Fund Management Organization for the Professional Integration of People with Disabilities (AGEFIPH) showed a further decrease in the unemployment of persons with disabilities, from 8.6 percent unemployment at the end of 2019 to 7.8 percent at the end of 2020. Job seekers with disabilities were out of work for 908 days on average, compared with 673 days for the general population. They were also older, on average, than the general population; an estimated 51 percent of job seekers with disabilities were 50 or older, although they constituted just 26 percent of all job seekers. In 2020 AGEFIPH and the polling organization French Institute of Public Opinion presented a survey on the perspective of employers, employees, and the public on the employment of persons with disabilities. The study showed that 62 percent of employers (9 percent less than in 2018) found it easier to employ a person with disabilities, while another 67 percent (up 6 percent compared with 2018) said they were more inclined to hire someone with disabilities. The poll also indicated that those businesses supported by specialized organizations such as AGEFIPH were more likely to hire a person with disabilities (47 percent compared with only 33 percent for those who did not seek support).

The law requires at least 6 percent of the workforce in companies with more than 20 employees to be persons with disabilities. Noncompliant companies must contribute to a fund managed by AGEFIPH. The funds go to financial support for persons with disabilities seeking employment or firms employing persons with

disabilities, research and analysis on disability employment issues, and support for employment retention of persons with disabilities. Approximately 51 percent of private-sector enterprises met the workforce requirement in 2018, while the companies that did not complete the requirement contributed to a €400 million (\$428 million) fund and a small number (mostly large corporations) received an exemption from the government based on a negotiated action plan, according to AGEFIPH. As of January 2021, new companies had five years to comply with the 6 percent requirement, instead of the previous 3 percent. Between 2019 and 2021, the number of apprentices with disabilities increased by 79 percent from 4,562 to 8,159.

e. Acceptable Conditions of Work

Wage and Hour Laws: The minimum wage adequately met the poverty line income level, and employers in the formal sector generally adhered to the minimum wage.

The official workweek is 35 hours, although companies may negotiate exceptions with employees. The maximum number of working days for workers is 235 days per year. Maximum hours of work are set at 10 hours per day, 48 hours per week, and an average of 44 hours per week during a 12-week work period. Workdays and overtime hours are fixed by a convention or an agreement in each sector in accordance with the labor code. Under an executive order, companies with fewer than 50 employees may negotiate working conditions directly with employees without involvement of labor unions.

The law gives employees the “right to disconnect” digitally from their work. Companies with 50 or more employees must negotiate the use of digital tools with employees or their collective bargaining units and publish clear rules on “the right to disconnect” from email, text messages, and other electronic communications after working hours.

Employees are entitled to a daily rest period of at least 11 hours and a weekly break of at least 24 hours. Employers are required to give workers a 20-minute break during a six-hour workday. Premium pay of 25 percent is mandatory for overtime and work on weekends and holidays; the law grants each worker five

weeks of paid leave per year for a full year of work performed. The standard amount of paid leave is five weeks per year (2.5 weekdays per month, equivalent to 30 weekdays per year). Some companies also allowed other compensatory days for work of more than 35 hours to 39 hours per week, called “spare-time account.” Work of more than 39 hours per week was generally remunerated at a higher rate.

Occupational Safety and Health: The government sets occupational safety and health (OSH) standards in addition to those set by the EU. Government standards covered all employees and sectors. Individual workers could report work hazards to labor inspectors, unions, or their company health committee (for companies with more than 50 employees). Workers have a right to remove themselves without fear of reprisal from a situation presenting grave and imminent danger. OSH standards are appropriate for the main industries in the country. OSH experts actively identified unsafe conditions, such as potential falls from a height, which was the subject of more than 31,000 interventions by work safety units in 2021 and 17,000 for the first six months of the year, per the governments’ labor inspection report issued in November. Labor unions continued to be instrumental in formulating health and safety guidelines for the Ministry of Labor. The guidelines were regularly updated, most recently in August.

Immigrants were more likely to face hazardous work, generally because of their concentration in sectors such as agriculture, seasonal employment, construction, and hospitality services.

Wage, Hour, and OSH Enforcement: The Ministry of Labor, Full Employment, and Social Inclusion enforced wage, hour, and OSH laws and performed this responsibility effectively, in both the formal and the informal economy. The government permitted salaries below the minimum wage for specific categories of employment, such as subsidized jobs and internships, which must conform to separate and clearly defined standards. The number of labor inspectors was sufficient to enforce compliance with the labor laws. Inspectors had the authority to make unannounced inspections and initiate sanctions. Disciplinary sanctions at work were strictly governed by the labor code to protect employees from abuse of power by their employers. Employees may pursue appeals in a special labor court up to the Court of Cassation (Supreme Court). Sanctions depend on the loss sustained by the victim and were usually applied on a case-by-case basis.

Penalties for wage, hour, and OSH violations depend on the status of the accused and were generally commensurate with those for other similar crimes. Penalties were regularly applied against violators, with the government reporting 2,160 fines in 2021, up from 1,822 in 2020, for a total of €11.2 million (\$12 million).

Informal Sector: According to the Quarterly Informal Economy Survey, the informal economy comprises an estimated 13 percent of national GDP, representing \$452 billion.

In a February 2019 report, the Employment Advisory Council, which includes business and labor union representatives as well as parliamentarians and government-appointed members, estimated 5 percent of persons older than age 18 (around 2.5 million persons) worked in the informal economy, which totaled 2 to 3 percent of the total wages paid by companies nationwide. The main sectors where informal labor was observed were hotels and restaurants, food retail trade, construction, security, and transport.

The General Directorate for Labor published a report in 2021 that included inspections into the informal economy. The ministry's 1,952 labor inspectors covered 1.8 million private businesses that employed approximately 20 million persons in 2019 and 2020. According to the report, 300,000 labor inspections took place in 2019, including 24,000 in the informal economy, compared with 150,000 labor inspections in 2020, including 16,500 in the informal economy. The ministry attributed the lower number of inspections in 2020 to the COVID-19 pandemic.